

Sweet J

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

RSC HOLDINGS INC.,

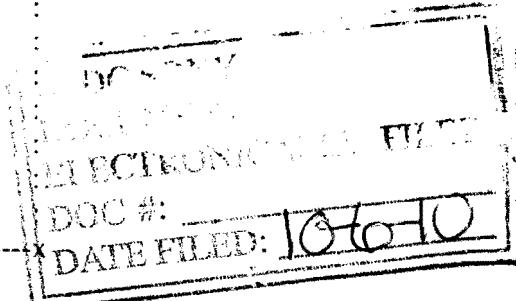
Plaintiff,

v.

CHARLES J. FOSTER,

Defendant.

: No. 09 Civ. 3212 (RWS)
: ECF Case



CIVIL CASE MANAGEMENT PLAN AND PROPOSED ORDER

WHEREAS the parties have conferred in accordance with Rule 26(f) of the Federal Rules of Civil Procedure, the following Case Management Plan is adopted. This Plan is also a scheduling order pursuant to Rules 16 and 26 of the Federal Rules of Civil Procedure:

1. Amended pleadings may be filed until October 6, 2010.
2. Joinder of additional parties is to be accomplished by October 6, 2010.
3. All discovery is to be completed by March 25, 2011 based on the following schedule:
 - a. Rule 26(a) disclosures will be served by October 13, 2010.
 - b. Document requests will be served by October 20, 2010.
 - c. Interrogatories pursuant to Local Rule 33.3(a) of the Civil Rules of the Southern District of New York will be served by October 20, 2010. No other interrogatories are permitted except upon prior express permission of the Court.
 - d. Fact depositions will be completed by January 31, 2011. Unless counsel agree otherwise or the Court so orders, depositions are not to be held until all parties have responded to any first requests for production of documents.
 - e. Defendant's expert report, if any, (other than any rebuttal expert report), will be served by February 11, 2011.

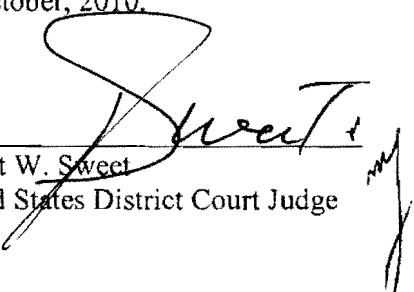
- f. Plaintiff's expert report, if any, will be served by February 25, 2011.
- g. Defendant's rebuttal expert report, if any, will be served by March 11, 2011.
- h. Expert witness depositions will be completed by March 25, 2011.

4. Dispositive motions will be served and filed by April 15, 2011. Answering papers are to be served and filed by May 13, 2011. Reply papers are to be filed by May 28, 2011.

5. The joint pretrial order shall be filed no later than 30 days after the completion of discovery, or after the final decision of any dispositive motion, whichever is later, unless a different date is set by the Court.

6. The next case management conference will take place on December 1, 2010.

DONE and ORDERED this 5 day of October, 2010.


Robert W. Sweet
United States District Court Judge